

SIDE BY SIDE

<u>PROTECT Act/House Customs Bill</u>	<u>Senate Customs Bill:</u>
<ul style="list-style-type: none"> • Creates unit within CBP dedicated to preventing and investigating evasion. • Increases CBP's capabilities to both prevent and investigate evasion. • Creates CBP point-of-contact for private sector evasion allegations with the authority to direct evasion investigations and the duty to inform interested parties about the status of investigations. • Provides CBP with the time needed to effectively investigate evasion without requiring CBP to prematurely notify investigation targets. • Authorizes Commerce, who has expertise on the products and industries subject to AD/CVD duties, to investigate allegations of evasion within set timelines. • Increase the types of data that CBP may use to target evading imports and increases information sharing with the Department of Commerce and the ITC to investigate evasion. • Requires CBP and Commerce establish procedures to ensure maximum cooperation and communication in order to quickly, efficiently, and accurately investigate allegations of evasion of antidumping and countervailing duty orders. • Directs CBP to enter into agreements with foreign countries to enable CBP to investigate evasion overseas and makes such agreements a negotiating objective for trade agreements. • Requires CBP to adequately train personnel involved in combating evasion. • Requires CBP to give Congress each year a thorough report on all of CBP's activities and policies regarding evasion. • Closes a loophole used by new shippers to avoid AD and CVD duties and ensures Commerce has the authority to conduct new shipper reviews based on bona fide sales. 	<ul style="list-style-type: none"> • Does not create unit within CBP dedicated to evasion. • Only addresses investigating evasion after domestic industries are harmed. • Does not create CBP point-of-contact for private sector evasion allegations or consolidate authority for directing evasion investigations. • Establishes a 270 day across the board timeline for each and every evasion case to be completed regardless of item or country product came from. Possibly resulting in incorrect determinations based on incomplete evidence. • Does not increase the types of information available to combat evasion, or increase the ability of CBP to share information with Commerce and the ITC. • Does not offer any coordination effort for CBP with any other agencies with enforcement authority in an attempt to quickly and accurately investigation all allegations of evasion • Gives CBP no ability to investigate evasion overseas. • Does not require adequate training of CBP personnel involved in combating evasion. • Requires CBP to give Congress each year a thorough report on all of CBP's activities and policies regarding evasion. • Establishes a New Importer Program that provides CBP with the authority to adjust bonds and increased screening based on risk.